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ROBERT GOODLOE HARPER

BY

C. W. SOMMERVILLE

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Robert Goodloe Harper.

by

G. W. Sommerville.

A dissertation presented to the Board of University Studies of the Johns Hopkins University for the degree of Doctor of Philosophy.

Baltimore.

1899.

To my Sisters.

89.408

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Preface

Of those distinguished members of Gen. Harrison's staff in the latter part of the year 1811 & the beginning of the year 1812, the name of General Robert Goodloe Harper ranked among the first. His reputation still survives. I have been induced to set forth the main facts in the life of General Harper, believing that their perusal will not be uninteresting. They are as follows:

1. A brief account of his early life until he left South Carolina for New York & settled in Philadelphia

G. W. Summerville.

James 30. 1899.

Chapter I. Early Life.

Robert Goodloe Harper was born
on a Virginia farm - near Fredericks
burg in [illegible] Co. His father
was Hugh Harper & his grandfather Alex.
Harper - [illegible] from [illegible]
Pennsylvania [illegible]. The family is traced
far back in [illegible] history.
Both the members had intermarried with
both Mercers & the Goodloes -
Robert Goodloe Harper was an only
boy in a family of nine. [illegible]
Harper was [illegible] when his
father moved into northern North Caro
lina near [illegible] where he
was reared. Harper was taught at
his early [illegible] until about his tenth
year [illegible] was sent to the [illegible]
School.

When the British army under Lt. Cornwallis, having defeated General Gates near Camden, over run North Carolina Harper thought he had a fair opportunity [illegible] Corps & Col. Sumter [illegible] Genl Marion with the rest the state [illegible]

After this Campaign Harper had to retire [illegible] the Genl Command [illegible] of army & after the formation this of [illegible] Quartermaster to this Corps [Q. Watch, pr. in [illegible]]. His [illegible] & study were made the larder [illegible] a tempting offer of a lieutenancy in a regular Cavalry regiment. His [illegible]

[Annals of Congress, Jany 1800, p. 325.]

aspiring to the lieutenancy. Harper again
continued his studies under [illegible]
[illegible]
[illegible]
[illegible] engineer ([illegible]
father of his part of the agreement, &
[illegible] in '53 in "the [illegible]
"Fourteen Counties" took Harper away
[illegible]
the west gave Harper a knowledge of
[illegible]
[illegible]
[illegible] genius to [illegible]
acquired at this time some of the
[illegible] but [illegible]
[illegible]
came of them.
For some time after his return from the
west Harper indulged in idleness, [illegible]

Harper carried the Junior & Senior Class
& Oglethorpe the next term; & in Sept. 25, 1780,
he was graduated Bachelor of Arts,
receiving the Degree & Diploma
& Testimonials of the Faculty of Princeton
College [illegible] Judge Story, Life, vol.
1 by Moore in his American Eloquence p.
489. J.

When Harper left College
it was his desire to see the world &
contract a acquaintance with Statesmen
& Literati & so set off for England to
make the tour of Europe in post.
He planned to pay his passage in
& to earn his livelihood & means by
the art of the printing trade which he
was taught. But on his arrival
there being (illegible)
[illegible] by residing Americans

[illegible] determined to go to Charleston, S. C.
& teach a study law.

He [illegible] a passage
[illegible] in the Charleston Packet in
November, 1785, he was accosted by
the Editor of the publication
[illegible] & invited to spend
Christmas Night at his house. He
[illegible] Harper accepted the invitation
[illegible] & school kept by Mr. Thompson.
[illegible] & at the same time studied Law
[illegible] & two years [illegible]
[illegible] & [illegible]
[illegible] Col. Hamilton & Mr. C.
[illegible] in Charleston during the winter
[illegible] & [illegible] introduced
Robert Goodloe Harper to [illegible]

Pinckney, Mr. Edward Rutledge, &
other Persons of Distinction. In
the Year of Christ, Eighteen hundred
and [illegible] the Year
[illegible] Ninety-Six Districts in the
upper part of South Carolina. [illegible]
a Grand & numerous Meeting of the
Citizens of articles on a proposed
Change in the State Constitution.
[Harpers Works 1:42] In the Course
[illegible] of [illegible] Debates
[illegible] Question [illegible]
was [illegible] in the affirmative.
[illegible] 91 [illegible]
Connection with [illegible]
[illegible]. A Company [illegible]
Contracted with the State of Georgia
[illegible] [illegible]
[illegible]

himself a candidate for the House
of Representatives [illegible]
his election, [illegible]
term for him to take his seat in Con-
gress, Dec. 1795. Before that
term arrived the death of Alexander
Dillon caused a vacancy in the Orange
district. [illegible]
stand as a candidate. He was
elected as a Democrat, & took his
seat on Monday February 8, 1796. [Annals of Congress, 1793-97, p. 1206]
[illegible]
[illegible]
[illegible]
termed one of the most remarkable in
our [illegible] & [illegible]
[illegible] & last [illegible] years [illegible]

Chapter II. In Congress.

On Monday, Feb. 9, 1795, Harper took his seat in Congress as a representative of South Carolina. [Annals, 1793-5, 1795, p. 1164. The 2d Congress - 2nd sess. This Journal Committee, Annals, 1794, p. 1] He was appointed on committees for the relief of sufferers by fire in Charleston, for the relief of Georgia, for the relief of Wolcott, for the relief of Pierce County. In 1791 a survey of the coast of Virginia had been begun by direct process. Harper drew the article for such a survey & pushing it & it was adopted. A loan by the United States for completing such a work, became of use to the national Congress. [Annals, 1st Cong. 3d sess., & 2nd 1793-4 pp. 149-158]. He rose often to call attention to the improvements in Coast Survey by the National Government. [illegible]

His experience with Canada & the relations needed him to give a complete [illegible]

[illegible] ment understanding the right of Congress in the premises. Upon [illegible] the sale [illegible]. And in case of the [illegible] that territory be appropriated [illegible] of lands in large tracts & speculators. A [illegible] would be [illegible] of the sales to the [illegible] for [illegible] the value of lands to the purchasers under the small lots as actual settlers might need them. This would put speculators [illegible] the Government under the [illegible] settlers. [Annals 1790-1791]

Harper's utterances into Congress were in the midst of the negotiations with Lafayette during the Terror. [illegible] Paris [illegible] Jays treaty was signed Nov. 19, 1794, but it did not reach Washington until March 7, 1796. When the provisions were known opposition to

swept the Country with the violence of a hurricane." [Life & Works of Thos. Jefferson, Vol. 4, p. 278.] Jefferson called it a farce. Jay was burned in effigy. As an appropriation was necessary to carry the treaty into effect, it had to come before the House. Livingston called for the papers connected with the treaty. This called out notable speeches. [Annals 1795-6, pp. 457, 747, 801, 886, 810, 965, 1171.] Washington refused to send the papers, because the Constitution made the Senate the Executive's adviser. Some Federalists were willing to go to war rather than submit to such encroachment. Sherman was firm. "This is a plain case, and the House ought to make the appropriation." [One of the finest speeches was by Fisher Ames.] Resolutions were introduced [Annals, p. 747.] that a treaty is not valid till the House has passed the appropriation. Harper replied that in limited

government the boat crashing power may be limited. The boat making power has been from 6 to 8 knots per hour. A boat is not a land vessel and is not to the same. A boat derives its power from the element of speed, while a land vessel is from the element of a surface. Land vessels, boats are accidents. Speed is in the province of the law of nations, the legislature cannot be to with reasonable care. The legislature cannot check a vessel, unless the boat making power and a law. The Master that reaching the with best use of the elements how do they "use" saving element. Masters and boat's crews by statute from legislative interference with

Speed is regulated against Masters

that Country where all existing Spec-
ing Laws [Annals - 1790 - 6 p. 758]

In Relation of Great Treaty Mr Madi-
son said - that the Most Commercial
part of it was to expire at the end of
twelve years - & consequently the Treaty would by
United States at the end - & Europe
from the War - Both
as the Stipulations might be, they could
not raise Trade to the Height it is.

Mr Charged England with having failed to fulfil
Stipulations both as to the Lakes and Slaves
the part of Treaty, with having Carried away
Cowboys & that Coast, & invasion of Maine
New Hampshire was unprovoked; Which no
taking the Town of Castine by the Capture of
Nothing can excuse - Which was contrary
to Treaty & Usage - England Claimed
to have the Lakes as a Security for non-
fulfilment of British Debts; that the Negro

carried away some [illegible] American prop-
erty at the time of [illegible] announc-
ed had been taken against the law
of nations. [illegible] Message, consid-
ering circumstances, there were but three
possible courses to follow: 1. [illegible]
2. Commercial restriction 3. prepara-
tion. The first course would be dastardly.
The second course might take the direction
of [illegible], commercial restriction, prohibition
[illegible], or sequestration of debts. An
embargo we had not a right, since [illegible]
[illegible] from the [illegible]; com-
mercial restriction would be [illegible],
the breach [Works, iii] of it would [illegible]
than we gained; [illegible] commercial
course would [illegible] us [illegible];
sequestration of British debts would shake
foreign confidence in our [illegible];
that the best course was to fight, [illegible]

the wonder has formerly been that the third Carlos negotiation was the only successful one.

More than that he said though our relations had not always been of the most friendly character we should not forget that for nearly a century we had been on terms of peace with you. The last thousand of those years had been marked by a spirit of peace & friendship on our part. The last thousand years had been the test of a people & their merits on our part & in this we stand pre-eminent. The confinement of our race was really brought about by the treachery of the Moors. Now the conditions have changed & we are only forced to defend ourselves when attacked. Now Morocco should be ashamed for a while rather than to confess all the horrors of war.

Moreover the treaty granted our diplomats no advantage in the East & denied the Moroccan trade privileges & basis for a future

more beneficial arrangement.

In order to accomplish the object of the Constitution it is necessary to read the last sentence as if it were [illegible] "Three fifths of the New England members & of those most of those from the Middle States, but only from the South, with the two thirds." Harper was discussing his present view placing the Eastern & Southern sections on a footing by adding the Southern vote, & would consequently in the South, which had weight thereby to the Scale of Slavery. Benedict Arnold, Letters of Delegates to Congress, 1774-1789, 2: 317]. Both Harper was for a union against the Constitution. He defended the treaty & declared his arguments for it. His Slaughter & Jefferson's reasoning under the Examples of the Federalists.

In the Fifth & Sixth Congresses Harper was the Federal leader [Schaeffer, Hist. of the U. S. 1: 354]. He was made Chairman of the Committee on Ways & Means [Dec. 9, 1797, Annals of Congress, 1797, p. 672; 1798, p. 19], & was again appointed Dec. 9, 1799, for the last session he served. In this position he had charge of all the finances & claims & the administration at the critical period of the threatened war with France.

In 1797 Harper published his "Observations on the Dispatch of Lord Grenville to the United States & France", - in which he launched a very strong case against France. The publication brought Harper much notice. [Sato, Peter Porcupine, in Political Works, p. 53, in a tirade against Harper says that the pamphlet which gained him so much renown

in England & which were greeted with high encomiums in both houses of Parliament & received the Thanks of the Nation, for the materials drawn therefrom... While Lord Grenville was extolling their pamphlet in one House, Mr. Canning in the other, while they were paying such a handsome tribute to the talents, candour & integrity of the Honorable Members of the American Congress ..... After this pamphlet has so appeared in England, after the English address had been echoed & re-echoed through America... Harper publishes a new edition. .... the pamphlet did great good in both countries & great injury to France". J. Cabot wrote April 20, 1798 to Jno. Adams - In Gibbs' Life of Oliver Wolcott 3:48 - "We had run a race pamphlet with Harper's excellent speech & pamphlet ... Hamilton must devote himself to drawing to the people the favourable impressions of what is done .... If he knows the extent of his own strength, he can

bitten would stimulate him to the most la-
borious undertakings". Also on 2:119 quoting a
letter from Wm Smith, Minister to Portugal, Aug. 17, 1795,
"Hamilton's pamphlet was translated into Portu-
guese & distributed here gratis. ... it was print-
ed by order of the Government." Fisher Ames
wrote to Chris. Gore in London, July 25, 1795 - See
Life & Works of Fisher Ames 1:236. — Did Lord
Grenville & Dundas know that their subsi-
dies on his book would help the Treasury
by warning a good thing in Congress? Yes to
Dundas. Hawkins is a fine fellow, but Grenville has kept
spirited him".

For impeachment of Blount account
of part of this session of Congress, & Har-
per's work a leading part in the
case, a fuller account of it is given in
the following Chapter.

The Jacobin measures of Genêt &
Adet in naturalizing &, the Alien act,

Alien Enemies Act, Sedition Act, were all disapproved by Jefferson. In advocating the limitation of naturalization facilities he said [Annals, 1st, p. 1267] it was time to stand on the ancient ground of admitting foreigners to citizenship. This mistake had been produced in a very great degree by the country's having adopted a system of citizenship. The true test — even when it was proper to declare that nothing but birth should entitle a man to citizenship in this country. We were forming governments every where, for acquiring land, securing liberty, & transmitting it to future generations, but they should not be given the right of self-government because they could not have the same views as native citizens. It was an undoubting principle of civil society that none but persons

home in a country, should be denied to take part in the government." The bill becoming a non-naturalized citizen's dream law June 18. [W. Macdonald, Select Documents of United States History, p. 138.]

One of Harkins last speeches in Congress [July 21, 1801, Annals p. 1140] was in advocacy of the Continuing the Judiciary Act which he regarded "as a shield for the liberty of the press & the freedom of opinion.... I wish to interpose this law between the freedom of discussion & the overbearing sway of that by means of which a certain political party in this country is elevated.... Which compels to itself to speak in the name of the people, honor neither moderation, mercy, nor justice; regards neither of using, decidedly, not explicit, tramples down with relentless fury, all that dares resist its fashion

oppose its progress, or resist its decisions." .... The Sedition act was the barrier that stood between Democratic party & public liberty. His whole career had been marked by the same jealous support of administration measures, of simple military & naval preparations as the surest means of protection & respect abroad — & of avoiding encroachments exercised by France.

Upon the floor of his Congressional career [March 5, 1801.] Harper detected a reversal of his & his party's conduct in Congress. The change which occurred — March 4, 1801, was the first in a series of the party's gross blows to overthrow. For while upon the Federalists had been heaped with profusion the trust was to be made of a new theory now. "Should the future conduct of the Government be retrospective

principles", Hayne rose to a pinnacle in South Carolina, & with steadiness, vigour, & prudence - his elevation was from a - public blessing. He was ~~dead~~ not what was a sufficient reason for - forming his election". He had no - son for the Democrat & dwelled upon the words "the federal union - Law or nonsense, by which the prosperity of the United States has been - successfully managed; the principles & execution of nullification, the support of Jackson, & the welfare of the federal government itself &, last mentioned, the master Foreign policy by which that nation has been exalted with an - unsullied reputation in the courts of Europe, & respected, & happiness. From an - address of Hon - Stephen Decatur to many first citizens late Public life, with

when it was my pride & boast to shed
blood, wealth & even life with pleasure in the
cause. " The leading principle
of this system as to foreign nations
has been to preserve peace with all
but to grant privileges to none, & to sub-
mit to indignities from none, relying for
the protection of our rights next to the God
who rules our events, but on our own
strength. By these principles, as a people
we have maintained the nations in peace
through the most general & furious war of
modern times. England & France were
both endeavouring to draw us into it, we
resisted both & surmounted all difficulties
with at an advancement of national rights
& honor. We have established a
navy which has asserted the rights
protects our Commerce - with Spain
we have settled a territorial dispute & have

honorable & advantageous to our nation.

In domestic concerns Mr Parker has supported the authority of the federal government, which alone, he thought, was capable of ensuring our safety from abroad by affording a united strength, & of maintaining peace at home, by checking the ambition of the States. It was of the main importance to make the federal Government as independent as possible of state influence. In every struggle between the federal & the state Governments, Mr Parker considered the State Government as possessing the greater natural strength, & therefore thought it his duty to take the part of the weaker party. For the same reason he supported the Executive against the encroachments of the Popular Legislature.

Another reason of Harper's was that public officials could not be induced to accept public trust unless they could be assured, maintained by the office. Otherwise it would be difficult to prevail on men of the highest character to accept office. To compensate handsomely all the chief officers of government would cost less than one incompetent man might waste in a month.

For revenue economy is necessary. Harper said nine millions derived from imposts cost less & was felt less than four hundred thousand dollars from a direct property tax. For encouraging trade Harper had advocated establishment of banks, encouragement of inland navigation, commercial conventions, treaties, sending consuls to leading cities, erection of lighthouses,

harbour improvements, & Coast defences. These had been his principles. In the momentary eclipse of these principles by a Republican Discomfiture, when it was said the sun of Federalism had set forever, Harper did not lose hope. With confidence he prophesied the final triumph of Federalism. "The sun of Federalism may set," he said, "but it will rise again. The mists of democracy may obscure it for a moment, but they cannot darken its lustre, much less extinguish its light. It may set; but the enlightened nations of the earth, and dreams of fanciful good, will wake to mourn its absence, & sigh for its return. It will return; the nations shall hail its approach, & rejoice in the brightness of its course.

Names may change; the men who hold the reins may be different; the denominations & parties may be altered or forgotten; but the principles on which the Federalists have acted, must be adopted, & those men must be pursued, or the government must fall to pieces."*

* [Works, 1:326].

Chapter III. Impeachment Trials.

There have been seven trials on impeachment under the Constitution of the United States. In the first three of these cases Harper participated, once as one of the Managers on the part of the House of Representatives, & twice as Counsel for the impeached. These early cases were particularly important because they established precedents. Impeachment having been borrowed from the English Constitution & having been more or less loosely defined in the native Statutes, the accused in the next succeeding, as those much change was necessary in the application as it existed in England.

There are two schools of interpretation; one holds that the power of impeachment extends only to such offenders as may of-

towards indicted according to law. This was Harper's view. The other view is that "high crimes & Misdemeanors" embrace not only indictable offences, but also those wider & vaguer political offences not to be reached by the ordinary law.

Impeachment of Senator Blount.

The first impeachment to occur under the present Constitution was that of Senator Blount of Tennessee. [Wharton's State Trials, p. 31; Annals of Congress, 1797 S.] Blount had been a the Continental Congress & had been governor of the Mid west territory. He aided & abetted the settlement of the Cumberland & the Alleghenies in English interests. It is suspected that under Blount's influence was attempted with success by a country named Wilkinson. [See H. Adams' History of the United States.]

cards from North America & Jamaica
Jones & Wilkinson in Carolina. A Letter of Blands which misdirected him in their transmission [illegible] Works vol. 9. p.] was but into the Presidents hands & was read in Congress in Blands hearing. He was arrested (Nov 7, 1779) & Hardware made for the Colonels shoulders & imprisonment. Blands horse bailed to answer - the charge (Burton July 8 1780) he was released from the Guards, having been guilty of a high misdemeanor & Lieutenant State Prisoner. The Messages between Congress & the Executive [illegible] Jany 1779 the Articles were read to. They charged Bland with neglect of duty & military misdemeanors in the winter of England, including the Indian expedition

the Attorney in the Northern District
of the United States among the Indians
that did not receive annuities
[illegible] Hazard did not believe. He
was invited to express the sentiment of
the Legislature regarding the Treaties
of the Executive [illegible] Indians
He invited the Senate to Evade Plain
Duties. He was not prepared for this
[illegible] of Congress does [illegible]
Impressed with Duties appears for Hazard
& urged a Course of Investigation we can
but counsel it to be Careful not to Expend the
Funds of any but Citizens of Statewide
State. What is Hazard is not a Citizen
Gov. The Citizen may not a Citizen
ment by Stopping his appeal. But Hazard
had him appeal. Counsel Stayed the
Execution. [illegible] was Released on
the Rehearing Case.

The reply of the Managers was that a Senator is a civil officer & that impeachment is a purely political proceeding aiming not at the punishment of the offender so much as the [illegible] of the State. Harper's argument rested largely upon the point whether a Senator was a civil officer. [Wharton's State Trials, p. 296 et seq.] It was contended by Bayard & Harper that the scheme & system of impeachment were brought in the Common law of England whence it was derived. Dallas' [illegible] there is no [illegible] [illegible] questions depending on Federal rights, have reference to the law & practice [illegible] of the Commons. Eng. [illegible] had been [illegible] in England [illegible]
— . This [illegible] referred to the Common law was caught up by Harper & used to great effect. [illegible]

in the Case of the President & the Vice President & all civil officers, if these not will of
[illegible] Article 2 Section 4 The Senate
The House is impeached Article three
are vacated by the Senate for
treason they may be impeached
and so by the House in the case of
The term used intended to mean the same
meaning, & that upon as it has in the
Common Law of England. In that law
the person of whom treason is committed,
extends to every person owing allegiance
Secretaries were included upon the ground
that [illegible] Parties to be bound to
them &c [illegible] Almost every man would
[illegible] But if treason could only
[illegible] limited to officers of the Govern-
ment. Question is an officer to be
[illegible] Impeachment. It is said true that
but civil officers are liable to impeachment.

the Constitution Authorizes that. In the
Case of the Civil Officers mentioned in any
Civil Officer from Governor down should
commit Treason or take Bribes he would
Change of Course. But the
Executive Inferior Civil Officers would
from may have a vote from an Impeach
that State Court to Compel Obedience
from Executive Officers in Removing from
Civil Commands & Executive Officers
of Compel Removal by Proper Tribunal
Impeached. But Military Officers
upon a Complete Execution Law Court
Senate. But not so Civil Officers. Any
or Executive Council be removed. Civil
Corp Officers may & may not be remo
Executive by Impeachment. Has
the Constitution intended otherwise it
would have provided that all Civil
Officers Executive should be liable to

confirmed and ... But if it can be shown that a Senator is not an officer of the United States, that a member of the Senate is an officer, it will follow that the ... is limited to ... confirmed.

Horpin then proceeds to prove that a Senator is not a civil officer of the United States. The Constitution, he says, uses the term officer in the most general sense. According to derivation, office signifies duty or employment. If the duties which fall to the lot of a permanent character are to constitute a civil office, a member of a civil service board should be regarded as the highest officer of the land, inasmuch as the duties of the latter relate exclusively to the civil government.

As the duties of the Presidential Candidate, both the Democratic and Republican Conventions, be viewed, not unconnected with

designation civil officer. Hence it is
not necessary to examine these questions.
It is not necessary to show that a Senator
is an officer of the United States. The
contention that a Senator cannot be im-
peached as an officer because they
[illegible] for [illegible] years [illegible] to [illegible]
[illegible] from [illegible] [illegible] [illegible]
[illegible] [illegible], [illegible] [illegible]
the same [illegible] to the [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] of the [illegible]. A Senator [illegible]
was in Harper's [illegible] civil officer of
the United States [illegible] [illegible] [illegible]
Senator [illegible] [illegible] therefore [illegible]
under the [illegible] [illegible] [illegible]
[illegible]
[illegible] It appears that [illegible] [illegible] [illegible]
that members of the State legislatures [illegible]
[illegible] of the [illegible] [illegible] [illegible]
not from that the Senator [illegible]

to any officer of the United States pursuant to
Blount's instructions that he was to
be one of the Mississippi Commissioners of the United States by Blount to
meet Carondelet. After this attempt to undermine
Col. Hawkins of the Creek Indians was
unable to [illegible] when the two were
together [illegible] Jan. 1793 Hawkins informed [illegible]
that Blount was not authorized by
Congress to make such offers to the
United States. [illegible] Jany 26 1793. Mr Jefferson
to Carondelet
Sir, that Blount's offers to Spain
must... this was to make the treasonable
offering a Bribe for the withdrawal
of Georgia into Spanish hands. [illegible]
Treaty first Delaware Indians with
Penn. Treaty not to settle land without
each of the Senators from Pennsylvania
Treaty of Greenville [illegible]
Was to not [illegible] the Treaty

[illegible] must be cut to [illegible] by [illegible] Treaty inviolable? Was [illegible] compulsable? [illegible] [illegible] [illegible] Writings of Jefferson, 7: 192-193; 198, 199; 202-203]

Sharpless position in this fugitive impeachment case was: 1. that impeached must be arrested 2. his Secretary may be Confidential 3. Senator or Rep. of the United States for trial. The treatment of the impeached Criminal would be built by congress according to the Constitutional Provisions, & the Chief Justice, but the decision was not known. What happened in the Chase impeachment was not known, but Sharpless believed would depend upon the votes cast by the majority in the Senate.

Impeachment of Judge Pickering

The second impeachment in the history of the United States was that of Judge John Pickering of the Federal District Court of New Hampshire. His case has been referred to the Republican Senators & Federalist Judges as Democrats. The latter were in favor of conviction, the former divided among themselves. The articles of impeachment framed by Jonathan Dayton of New Jersey [illegible] March 1803, House of Congress 1803 p. 38] charged Pickering with drunken & profane behavior in the court room, & with holding in the case was very profane. [Annals of Congress 1803 p. 38] Judge Pickering had declared in the words by case "that he could preach the Democrats out of their senses" "but damned if he could be sober by morning" The attorney

For these reasons Mayfield & good cause
having of acting for the unfaithful
the Governor Clearly ordered Mayfield
Browning & the Senate & Liberated me
on day in the absence of Hardin [illegible]
John R. Viney Reports [illegible] 1:294]
John R. Viney Reports, 1 Reports of
the Senate [illegible] Illinois 1:298] "the most
determined opposition is
made against leaving the house & Com
me & from the senate chamber, only
from sense that of necessity should be
done & he cannot be expected of
such Crimes Misdemeanors Nelson
who made - to escape from Senate &
Stand not guilty" for contempt as in
case in Metaphor - or Stand on a
Dime more - Could plead guilty or not
guilty" [illegible] Illinois 1:299] Should the
Messages had retired from the

Senate Chamber – the Senate [illegible]
Hardwicke in support of the Petition. Mr
read & offered in Evidence [illegible] Copy of Indictment
against the Petitioner, & Warrant after
Examining the Record the Counsel
Agreed, a Short Record should be
made up & the Warrant & Record should
be Returned to the Court of King's Bench
Westminster ..... & Counsel be
heard to shew cause against the
Petitioner's Discharge. Judge
Pickering, Mr Hardwicke said was aware at
the time the Officers charged Lewis Com-
mitted, & he was ready to give Evidence
in Support & to answer the Petitioner's
Case & Mean that before his Lordship
Judge Pickering took him a Return of
Justices Warrant, expressing that
the Court should take into Consideration the
Situation of the Indictment & Warrant with
Reference to the Power of Colonial Courts

minds for his defence — the testimony
of the Woman — the great Importance of
the place — & the Situation of the
Robber. Either — upon Examining
on the Spot what Circumstances might
be in Robbers, or the Recollection of what
it would not be Safe — for in
Matters of Life would it be but a Mistaken
Precaution — but what Effect is there
on Mean Life Actions, the good Consequences
& Satisfaction, the inestimable Blessing
of a Conscience, that can Safely
Mean only Endeavouring after the most
Enlightened Information of Mean Duty; when
upon Reason — Heart & Think of Mean Duty
— the Greatest Importance of Mean Conduct
will permit a Confirmed — Mind is Incapable of Defending himself to be Defended
in by his Conscience? — The determination

was between the determination to procure the means for emigrating from the country of the enemy & the payment of Counsel - might expect the forbearance of the enemy to treat so if Vermont to Senator Adams. Mr. Jefferson adds that the Marquis communicated what they had represented such a character to the government of Virginia, but that the Prince was to stay until a period when they should make an observation upon it. Nothing more for today - Nothing could have been heard in the House - Speeches can be heard by the Managers. The close - of the trial is gradually expected by [illegible] Adams [illegible] [illegible]; The trial stood for a conviction - judgment [illegible] [illegible]

The Marquis of the Whole House of Representatives came at the Close of the Short Session. Second Confession received from Petitioner a Sworn Copy [illegible] Jan. 1, 1797. The Lower House of Representatives came in with their Speaker & Clerk. The Question put, Was Cabin or Cockpit? Resolved, the record was read the Clerk of the House of Representatives. The record from the Senate was read. The Second Impeachment Trial was ended.

The Senate Impeachment Trial Concerns the Executive Department of the Government. The Senate had heard the Evidence & Impeachment Trial & the Second Charge Against Blount was managed by the Federalists. Witnesses were examined

of the writers (Publius) who defended the United States. The Federalist was written by Alexander Hamilton, John Jay, and James Madison. Hamilton wrote 51 of the essays, Jay wrote 5, and Madison wrote 14. Three essays were written by two of the authors. Hamilton and Madison disagreed on the authorship of 12 essays, but modern historians believe Madison wrote all of them. The Federalist Papers are considered one of the most important documents in American history.

Jefferson's plan of government would have gradually advanced. He did not believe in the "rotten principle" of long probated wars. He believed that the people would unite to form a Republican Government & favour Freedom of Religion.

violation of the Constitution in the arbitra-
ry conduct of the judge may therefore
be [illegible] trial." Also first taken by
Harper in the Pickering impeach-
ment case — upon the insanity effort
in behalf of the defendant, these claimed
of the advocate. This plea was not
admitted by Federalist managers;
& yet Benton is more indulgent
toward him.

Impeachment of Judge Chase.

The dramatic feature of the closing
session of the eighth Congress — was the
impeachment of Justice Chase — upon
[illegible] Chase being the last
[illegible] of the rational [illegible] of
of the System. Schouler, History of the Uni-
ted States 2: p. 1. Chase was personally
an upright, learned, & able man, who had
[illegible] in his country's service [illegible]

had signed the Declaration of July 4, 1776.
[Biography of the Signers, 1:177.] He had been
in the district convention which met at Williamsburg
on the 17th of March, 1788, to consider the
Constitution of the United States, and had
opposed its adoption with all the energy of his
character. Edmund Randolph, who had been
governor of Virginia, and who had been a member
of the convention which framed the Constitution,
had refused to sign the instrument, and had
opposed its adoption in the convention. He
was appointed attorney-general of the United States
by President Washington in 1789, and in 1794
succeeded Jefferson as secretary of state. He
died in 1813. [Appleton's Cyclopædia of American
Biography, 5:178.]

Mr. Randolph was followed by Mr. Marshall in favor
of the Constitution. [Elliot's Debates, 3:245.]
Mr. Marshall was born in Fauquier county, Virginia,
September 24, 1755. He was a son of Thomas
Marshall, a native of Westmoreland county, Virginia,
who was a surveyor and soldier, and who served
as a captain in the Continental army during the
Revolutionary war. He was a brother of Thomas
Marshall, who was governor of Kentucky from
1816 to 1820. [Appleton's Cyclopædia of American
Biography, 4:178.] He was a brother-in-law of
James Monroe, who was president of the United
States from 1817 to 1825. [Appleton's Cyclopædia
of American Biography, 4:178.] He was a brother-in-law
of John Thomas, who was a member of the Virginia

[June 13, 1803] upon the [illegible] of [illegible] Chase [illegible] Presbyterians in office! The cry for impeachment began gaining strength in the Congress. [illegible] Randolph of Roanoke, the Republican leader of the House, moved an inquiry [illegible] [illegible]. He reported [March 26, 1804] the eight articles of impeachment charging the justice with acting in the trial of Fries in a highly arbitrary & unjust manner, so that a person was condemned to death without having been heard by counsel; & with using unusual & oppressive [illegible] towards counsel; [these charges refer to the trials of Fries & Callender in May 1800 under the Alien & Sedition Laws.] & with having [illegible] highly indecent, tending to prostitute the high judicial character with which he was invested to the low purpose of an electioneering partisan." [illegible]

the next year. The impeachment was laid Jany 7, 1805. Chase appeared to make a speech — he showed his character-istic [illegible] by observing that the Con-gress of the United States were putting on their [illegible] and that he was con-tributing his utmost his aid to lay the [illegible] work of American liberty.
[The proceedings for the trial are [illegible] given in Charles Evans' Report of the Trial of the Honorable Samuel Chase, Baltimore, 1805. Annals of Congress 1804-5 p [illegible].
Aaron Burr was Vice President, & "he presid-ed with the impartiality of an angel & the rigor of a devil" — Parton's Life of Andrew Jackson, I. 309 — The Counsel for Chase were Harper, Joseph Hopkinson, Philip B. Key, Charles Lee, & Luther Martin.]
The trial began Feb 4, 1805. Harper & Key having presented the defence of Chase

Plaintiff's Exhibit 6 has been endorsed by Harper [illegible] in the Explosives Committee of Maryland that there was no high grade or standard gunpowder in the district in which Plaintiff was employed at the time of the explosion [illegible] Harper testified that no such gunpowder was manufactured by Plaintiff's employer [illegible] Harper testified that no such gunpowder could be exported without a license. There was no evidence that Plaintiff's employer had ever applied for a license. In the absence of evidence to the contrary the presumption of the law is that Harper testified that there was no such gunpowder

such vouchers must be proved
upon the trial of the indictment*
[Kennedy, 1804-5, ff. 146, 305]. It was the
case of Lafontain & Dennis for a
Buck on Jackson by no less. Ken-
ny I had been the Prosecutor [Kennedy,
ff. 99-100-305] for the Judge to express
from the bench by way of charge that
Grand jury Politicians. The Judge
returned back at once recommended the
practice [Kennedy, f. 305] Hence adopted
by the Judges of the Supreme Court [Hennen,
1809, p. 149] They not knowing if the
Grand had given it an implied warrant [
Hennen, 1809, p. 147] So Dennis the pro-
tection was by superseding writ to make
it a crime by express law to make
false Imprisonment [illegible] Jackson
Randolph Affidavit [illegible] made an
eloquent explanation in the Book of the

Messengers [illegible] of the [illegible]
bill of a grand jury found true or [illegible]
a body by the other messengers. That
martial a grand jury for [illegible] was the
[illegible] of this [illegible] [illegible] H. Adams, Hist.
U.S. 3:232; Annals [illegible] p. 4, 5.] Harper
went beyond his associates in narrow-
ing the field of impeachment into a
criminal prosecution founded on the
violation of some law. [H. Adams, Hist. of
U.S. 3:232.] Every thing with which
they were surrounded in that Chamber
bespoke Senate, that it was a Court
of Law; & the whole transaction was
the trial of a Criminal Cause - on legal
principles. The messengers therefore
went to legal evidence to prove the acts
charged. The impeachment of seven
Pennsylvania lawyers for the mur-
der of one hundred & fifty Slaves by

The Counsel for the Respondent, Mr. Butler contended. That both English & American Legislation & the Constitution of the United States shew that impeachment is not an inquiry into the guilt or innocence of the Person but is a Criminal prosecution for the violation of some Law. To whom is impeachable, unless it be the proper subject of punishment. The Constitution is a limited grant of power, not expressed, or by necessary implication granted away. When therefore the Constitution declares that that is an offence which may be impeached, it gives power to impeach him for those acts, and power to impeach him for any other acts is withheld. The provisions of the Constitution, therefore, must be considered as declaring that the impeachment shall be confined to a criminal nature of those acts.

In the State Constitutional encroachment has been considered a criminal prosecution for defined offences. This is a clear violation of personal rights & political principles. It is not a wrong in treason if tried by for. Majority in power when unfavorable to the impeached, nothing in treason when tried by friends. When the two offices of Governor & Senator are held by same man in Ref. but when Executive & Judicial union into a third tribunal is gone.

The officers of Northern Colleagues were removed with success. The principle that impeachment applied only to indictable offences was sustained. The Senate declared that Samuel Chase should be acquitted of all the articles exhibited against him. (Hume vol. 7, p. 669) It has been main tained that the impeachment of Justice Chase is a land mark in American history, because

it over thrown the Jeffersonian Republicans in their last appeal to the people. The Judiciary [illegible] of New Jersey [illegible] the [illegible] of the impeachment see over the [illegible] of [illegible] Marshall. [illegible] impeachment court to [illegible] with an amendment to the Constitution providing that the judges of the supreme court and other courts of the United States should be removed by the President on the joint address by both Houses of Congress. Nicholson moved an [illegible] amendment that the legislatures of every state should have a power to recall their senators [illegible] Jefferson, Writ. ed. 5: 249. See also Elliot's Debates 5: [illegible]. In the opinion of Jefferson (works 7: 170) it should [illegible] to be a [illegible] measure. "Made the judiciary [illegible] in [illegible] power

Confederated fabric by Establishing new
Constitution from a Confederation of a general
& Republican government to a general & Re-
public one alone". Marshall was Lead-
ing Mind in giving Constitution Constitu-
tional Law. The Spirit of Decisions
ordered by the Court. The Treaty of Hanover
was Void in Law, which Marshall. This Cal-
culations were defeated neither by Argument
nor by the Courts Decision. These were
declared Enemies of any Reasonable of
Peace Treaties Agreement was Void &
unworthy Contract. It Lay Enemies for
a Grant of Property of the State.]

The Court Enacted Impeach-
ment Trials by Marshall one - 1. That the
Impeached Must be present. 2. That the
Evidence must be Confined. 3. That
Senator is a Civil Officer in the Trial Impeach-
ment. 4. The Chief Judge Presides Con-

can find by inspection or reference
4. that the Prisoner before impeached
may take up his Defence if he is in
Custody. 5. That impeachment can
not lie against those who are liable to
Capital - Punishing Guilt is not guilty
6. That the English Constitution and the
Common Law are to be taken in interpreting
the Constitutional Powers. 7. only the
Inferior officers - violations from Error
are impeachable - 8. Impeachment cannot
be trying into qualification for office but
is for Criminal prosecution -

Chapter II. A Citizen of Baltimore.

Harper left Congress with the downfall of the Federalists in March 1801. In 1801 Harper was married to Miss Catharine Carroll, daughter of Charles Carroll of Carrollton. Harper's debts growing out of land speculations had greatly interfered in winning the hand of Miss Carroll. The father was strenuously opposed to the match. [illegible] [illegible] the hand [illegible] of the Richard Caton, Mr. Carroll's son-in-law, who seems to have [illegible] sympathy with Harper. The correspondence between Mr. Carroll & Mr. Harper was straightforward & [illegible] [illegible] Mr. Harper. There were three

circumstances that Stephen Ingram
the subject of his life which has been
used in the first Chapter of this book.

Stephen was employed on the estate
of Jerome Stewart of Ben Stewart
Ford (Reckless & Co.) that he might become
learn a large Business in London.
Stephen was settled in Baltimore the
establishment of his parents. His
residence was on Gay Street near
Water.

From letters written in Baltimore to
his Cousin Sophia in Ipswich England
Stephen in which he advocated
the election by the legislature instead of by
the people. Stephen spoke strongly
against the treaty of the Louisiana
the free navigation of the Mississippi

her was Fusion — "If Commercial must
[illegible] the [illegible] of
the Measure — Jones & the Federalists
objected to that [illegible]
& made [illegible] [illegible]
Memoir of Story, v. 91]

Justice Story frequently drew Marshall's strength at the Supreme Court & Executive Levee as "diffuse, but multitudinous & clear; he argues with considerable warmth, & seems to expand under liberal suggestions of his mind. I am inclined to think he studies his cases with great diligence, & to be considered as in the first artificial" [Story's Life by Wm. Story, v. 1, p. 214, 215, 216]

Declension of the Town of Hanover to a village in it was a Town of 3,000 people [illegible] Profiles Annals of Old Town, p. 11],

but it was not at an adequate water supply. Wells & springs were depended upon [Scharf, Baltimore City & County p. 113] In April 1804 Harper was appointed on a Committee embracing many prominent names in the City history, to report a plan & Constitution for a Water Company. [Griffith, Annals of Baltimore p. 3, 11 / Scharf, Baltimore City & County p. 211.] Harper & others were appointed to open the books for the stock. Not only was Mr. Harper one of the original Directors but he was also the Counsel of the Company. Baltimore, May 24, 1804. The Directors of the Company were Geo. Deaver, Jr., James C. Buchanan, Gustavus Elliott, William Lorman, Geo. Dowell, C. Cook, James Mosher, Wm. Patterson, Archibald Mercer. [Griffith, Annals of Baltimore, 171.] The Baltimore Water

Company. Removed in recollection contest
1873 ^ [Schaaf, Baltimore City Directory, 1873]
In 1875 Harper-Co associated
with Savannah business men in forming
"The Baltimore Cycleway Company" [Journey 25, 186] the Company was incorporated &
authorized to construct the Baltimore Cycleway.
Hardinge was one of the first board of directors * * [Griffith Records of Baltimore
City] The Cycleway was laid out at the
time Bloom had no work in Clarence.
Buff & Schaaf, the architect of the Cathedral,
furnished the design [Schaaf, Baltimore City
Directory, 1873]
Hardinge was not very flexible when
interested in the improvement of Broadway
& City, he also took great interest in
horticultural affairs. In 1870 we found him
one of the Managers of the Baltimore Horti-

ing Assembly. The Assembly was
duly organized. The Town House of
the Assembly room in Hanover Sq.
the choice was awarded by the Baltimore
Library Company. To this Company were
[illegible] West Archbishop Carroll, J. D. Kennedy
Robert Goodloe Harper, [illegible] Morgan & others.
The Town of Wilkesia & Morgan were also
the Town of the earliest Baltimore Book.
the Dauphin Book, which was at "Morgan
Valley" or "Jamestown" in the rear of Ba-
timore Hotel. Some of the Papers of the
Dauphin Book may also be seen in the
"Red Book", which was published for the
by Fleming 1879-1879. Harbor was also
one of the Dauphin Books, & other materials
which were the Jno. Peal, Letters & writings for
Blackwood's Magazine, Poetic Sketches
Prose & Fragments writings, Journal Speeches

the Editorial & Compilation. Also a Life and Portrait of Henderson. Colonization Council of North American Indians, Sept. 1824.); & Francis Scott Key. The list of distinguished characters Harper procured of the Baltimore Bar is long & includes the names of two Specialists in wills, as "Harry Dorsey Gough", "Col. Nathan Williams" "Wm. of Valentine" & "Robert Gilmor & Mich. Brodie". [illegible]

Mr. Conrad Henderson's Law office in 1808 was Robert Walsh, Jr. (1784-1859), who afterwards wrote for Francis Lieber's American Encyclopedia, a biographical sketch of Harper among other distinguished Americans. Walsh in 1811 started the first Quarterly ever published in the United States, "The American Review of History & Politics". The Review was, I understand, a success. In 1820, Walsh wrote a Defence

that the Prince was recommended by
Count Metternich, Prime Minister, to
espouse if I would. must Hamilton add
"Nelson why no space existence in Pa-
rating the cork of ex[illegible] Bretonian
bet in the stock when you lose so many
friends" 20 Nov. letter in Journal of Franklin
unity. Walpole's Appeal from the Jud-
ment of Great Britain 1857. The first pa-
raming work from Scotland" -
Left Reims via Rheims (Rheims, 115 in
honor of most Prussian victories, Harper
gives name to text, Alexander the Great
Eleanor replied to that upon which was based
Ireland. Learning that the military Chancel
or of Napoleon had been condemned, that
Hamilton had started to Court of the Empe-
ror Francis Accordingly. Also Prussia
a long Correspondence which has been

Publishers. Walsh says that Uriah Harper was a diligent student of literature, history, geography, travels, statistics, moral philosophy, political science, & especially of political economy. So no one was better acquainted with foreign affairs than Uriah Harper.

In 1814 Harper published two volumes of "Select Works". These consist of speeches on political & foreign questions, political tracts, which had previously appeared as pamphlets or addresses.* Among the titles are "Address to his Constituents" (a defence of the Jay Treaty), Phila. 1795; "Observations on the Dispute between the United States & France, Sunbury, 1797; "Correspondence with George Nicholas on his Political Conduct in the Sixth Congress" Lexington, Ky. 1799; "Correspondence with Robert Walsh, Jr." Phila.

1813; "Address in favour of the Polonese Council", 1814; "Oration on the Birth of Washington", Alexandria, 1810; Speech at the 1st Oration of the Present Triumph of mankind in Germany", Alexandria, 14; "Letter to the Colonization Society", Baltimore, 1815; Memoirs on the Blessings of Liberal improvements. Six "Observations on the dispute with France", Welsh says, "acquired great celebrity at home & abroad through several editions in England & France extended over Europe - one of the ablest productions of the Crisis"]

In 1818-1820 Genl. Harper made an extensive tour in England, Scotland & Ireland. While in France most of Genl. Harper was executed by Trentanove. Copies of this bust in the possession of Mr Clapham Rawlins, one at the Peabody Library Maryland Historical Society, Rooms. Mrs. Mrs. Mrs. Hoffman Baltimore

[Dec 1820 Princeton Gazette Confirms when
Samuel Harper the degree of Doctor of Divinity
Letter from D.F. C. Murray, Private Secretary,
7-6-10, 1898.] Robert Wood Dedrick
Harper was born the seventh daughter,
eighth child of Methodist minister, circuit rider, Francis Asbu-
ry Harper and Hannah Dedrick Harper
in Jericho, Queens County, New York
August 10, 1801. He was a delicate
boy, frail, sickly, slender
frame and constitution, and during
the greater part of his childhood
was unable to attend school regularly.
He was a brilliant conversationalist,
an accomplished reader, and a strong
preacher and writer. He had a gift
in applying general principles, and in judging
the character of persons and events for which
qualities he was in great demand.

When the British attacked
Baltimore in 1814 Harper, who had been
a Commissioner in a volunteer artillery
Company [Griffith, Annals of Baltimore, 211]

[illegible] recalled himself at the head of his
[illegible] . He was in the exercise of the legislative
[illegible], Acting Governor of [illegible] [illegible]
[illegible] .

In Oct 1814 Major-Gen. [illegible] was appointed (Major-General) of the Second Military District. (The Commission is in possession of the Baltimore Library.)

When the Corporation of the City of Baltimore [illegible] Oct. 12, 1815, [illegible] Major-General commanding, Delaney, Baltimore City & County, p 268.] [illegible] in the act of laying the corner stone of the Washington Monument, July 4, 1816.

When Lafayette visited Baltimore in 1824 General Mason-Lord Brent welcomed the distinguished [illegible] [illegible] Lafayette-Baltimore, 3:1 [illegible] that: "Le Général Mason ouvrit le drame par un discours fort instructif sur le progrès de l'état actuel de l'agriculture dans le Maryland. — Le [illegible] prima [illegible] le [illegible] [illegible] [illegible] fait [illegible] par le Général Mason, plusieurs un discours dont le passage suivant sur le sujet [illegible] [illegible] [illegible]

Section I. In the Senate.

On January 27, 1816, General Harper was elected United States Senator by the Senate & House of Delegates of Maryland. [Votes & Proceedings of the Senate p. 3. & the House p. 8, December session, 1816]. The Senator took his seat Feb. 5, 1816. [Benton's Abridgment 5:460]. To measure of great importance arose during that session, & Mr. Harper was heard. A few days after his entrance, he gave notice of his intention to bring in a bill for the establishment of a law library at the seat of government, [Records of Congress 14th cong. 1st sess.] for the use of the Supreme Court of the United States. Also a bill for protecting the copyright of authors, & vesting the exclusive right of printing their works in them for a certain period of time. [Laws of United States, Records of Congress, 14th cong. 1st sess.] The former passed

the Constitution had been proposed regarding the mode of choosing Representatives & Electors. Sparkman was in favor of the proposed change and moved that the Amendment was made the Constitution of the United States. A matter of little importance then as the Whig party conquered and it was not necessary to return Slate Votes for the first time. Restricting the Slate for the Election of Electors could lead to undue influence from the Executive Department. Mr Hopkins objected to the election of the President solely by the Legislature because that would be the federal principle by which the Sovereignties of the States were represented. Stanly the Gentleman of Craven County & Mr Hoffy the Journalist of Rowan

Census on Whale and Seal Fisheries
Post. [Annals No 17 p. 225.] When
a bill was presented for the incorporation
of Nantucket Social Library
Mr Coffin objected - & Lawrence - & Stanford
Calling the whole Census upon Labor &
Steam, seriously to a body fishing
made up wholly of wind Census -
[Annals, p 117.] Mr Seaton offered
Clay of Senator & Resolution from the
House to pay to fifteen hundred dollars
a year & Blodget from their Journal
in Preparing for Census & simplicity
was objected by some as being 4th
Post. Stewart, Smith, from their
Census Power to larger duty than many
of the States upon to them & Coffin
Mr Clayton proposed from Mr Clay
Senator Mr Lee & Mr Barnard [Census 16
17 p. 208.]

Although this session of the Senate afforded Colonel Harper an adequate field for his abilities, yet a speech he read briefly is noteworthy when read in the light of recent events. The occasion was a proposed amendment to a Navigation Bill introduced by Mr. Bibb of the Committee on Foreign Affairs.** [Annals, p. 372.] The bill proposed to confine American navigation to American seamen. Harper's amendment had for its object the gradual exclusion from the navy of those who were not native or at that time already naturalized citizens of the United States. [American, Nov. 12, p. 2.] Explanatory of his amendment, Harper said, "I am the Confirming of my amendment would find on board a Number of American officers. The exclusion of foreign sailors

would_ can we frown deep upon trade
about empire saint? the American offered
we would pursuit shilpul treaties nation
forces, overall, war with England_ Clan ap-
parently unfounded. Remain $ 2691 St.
United States executed et and object to incor-
porate foreigners into our nation by natural
laying claim. Flow from them from clan
nation allegiance. The United States has
made an advance toward natural
bearing that clan residential allegiance
have must be protected to the same ex-
tent as native citizens. England had
some time unconstitutional debt. Citizen-
ship question is doctrinal. That it cannot be
changed as by consent foreigners
debtor both. All other Governments
but the United States held the same view.
How far would it go in to what clan.

[illegible] When the mirrored [illegible]
mankind, does not [illegible] [illegible]
it. [illegible] [illegible] [illegible]
[illegible], [illegible] [illegible] [illegible]
case of which the [illegible] [illegible]
We [illegible] must expect [illegible] to remain
at peace. Conflicts from time to time
with England & France inevitable. When
Switzerland was to be ruled. Future
Conflicts would [illegible] the [illegible]
we were destined at the last to the
[illegible] [illegible] "When all the
[illegible] [illegible]". The battle
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible]
Wars of [illegible] & [illegible] [illegible]
[illegible] the man behind the gun [illegible]
[illegible] cannot [illegible]. Morality [illegible]
[illegible] What [illegible] [illegible]

Before the end of the year [illegible] Dec 10/16]
Colonel Mordecai Gaither, Clerk of the Executive Council of Maryland, Deceased
Colonel Gaither was a gallant officer in the Revolutionary War, and was
a member of the Maryland House of Delegates, 1781-1783, 1786-1787, 1789-1790, 1792-1793, 1795-1796, 1798-1799, 1801-1802, 1804-1805, 1807-1808, 1810-1811, 1813-1814, 1816-1817, 1819-1820, 1822-1823, 1825-1826, 1828-1829, 1831-1832, 1834-1835, 1837-1838, 1840-1841, 1843-1844, 1846-1847, 1849-1850, 1852-1853, 1855-1856, 1858-1859, 1861-1862, 1864-1865, 1867-1868, 1870-1871, 1873-1874, 1876-1877, 1879-1880, 1882-1883, 1885-1886, 1888-1889, 1891-1892, 1894-1895, 1897-1898, 1900-1901, 1903-1904,

Chapter VI. Colonization.

On the western coast of Africa is the home of a unique nation. The history of this nation tells of helpless human creatures stolen from savagery, carried with untold sufferings over the sea to be sold as chattels. Slowly exchanging their inherent instincts of savagery for civilization they were necessarily drawn near the higher feeling. [illegible] Africa they crossed the sea, not as naked savages worth so much cash, but as carriers of the benefits of civilization to their original home.

To-day these Liberians are a free independent nation; occupying a territory three times as large as the state of Virginia. Their population of nearly two millions [[illegible] in [illegible] Encyclopaedia] lives under a govern-

must conclude after that of the friends of Liberia. With Gerrit Smith Senator Colonel Harper Lord Brougham & others the Colonization Society is not, as I am informed, the Colony of Liberia must ever be considered as the favorite Colony founded by the United States. Liberia is of far greater interest to us than all the Islands on the Coast of Africa which might have formed the Emancipation of Slaves settled & planted which have since become Foreign Colonies.

Mr Gray & Mr Mann from the meetings of Worcester Jefferson Pendleton Harrison Preston & many others, that long evening in order for the purpose of Negotiating. The Terms not unreasonable or difficult to

On January 2, 1800 a petition was presented to Congress by the free blacks of Philadelphia, in which they protested against the slave trade and asked for legislation in behalf of fugitive slaves, and for abolishing the transportation of slaves. This petition was successfully opposed by John Rutledge of South Carolina & Robert Goodloe Harper, on the ground that the power granted by Religious Freedom Clause [that Congress had no power to act on the subject] [illegible] [illegible] 3:439]. Harper's objections were not [illegible] to ship [illegible] [illegible] years [illegible] he advocated the abolition of the slave trade [illegible] United States [illegible] [illegible] [illegible] 1 Debates 6 Congress 2:971].

The Virginia legislature [illegible]

in Consequence of an Act Confirming what Richmond, Sarcely requested Governor Morrow to Correspond with the President of the United States in the endeavor to Cause without the Limits of the United States, either Persons or Property in the Same Manner & to the Same Degree of Security may be required [illegible] Act. U.S. 1795] The Governor has accordingly Corresponded with the British Government Concerning Deserters, & with whom a perfect Concert in South Carolina. Measures could be fixed; & Early in May in consequence made to obtain Certain information [illegible] Governor Morrow Sent him a Letter of July 21, 1811 in which he declares he never thought that [illegible] in Georgia the most favorable Measures for [illegible]

cuse off this part of our dependencies for
ing in more the world's history, than that the United States would
themselves undertake to make treaties
establishment on the coast of Africa.
See Niles's Register March 8 1817, 1st Congress, 2d
Session, American State Papers, Foreign Affairs
Register Proceedings 1804-1823, vol. 5, Foreign
Report 1823.] One of the greatest
obstacles in the way of reconciling
of the slave coast the civilized Coast
tries of the New World. Jane Sharp
Said that "the fine temple of Colosse
on a plain surrounded by woods
were Sandstones, united to each other
cement, but great pains & many centuries
then the Savages themselves [illegible]
Adams, Life & Writings of John Sharp, 1
248.] The Republic of Liberia

of the Colonies that "Standards of Weights & Measures should be uniform throughout the Union & Standards of Weights & Measures of the several States conformable to the standard of the General Government" [Secretary's Report, 1st Congress, 2nd Sess., Nov. 23, 1790, p. 30; Virginia Acts of the General Assembly, Laws of the United States, 1789-1796, Old, Town, & Co., Portland - Ms. Adams, Life & Writings of John Marshall, 1:2-]

Here then was the work of a Movement towards Colonization on a large scale. This movement was undertaken by the American Government at the Termination of the Revolutionary War.

Rev. Robert Finley was the founder of the American Colonization Society. Hence

to Washington & succeeded in packing a meeting of citizens Dec. 21, 1816. Henry Clay presided at this meeting & Messrs. Key, Scott, Finley, Caldwell, Dr. Crawford & Rev. Mr. Gurley were appointed a committee to draft a constitution & by-laws for the Society which were regularly organized & officered on January, 1817. Mr. Finley had before this visited & met the Hon. Horatio Gates of Va. & he was elected President of the Society of Virginia. He published "Thoughts on the Colonization of the Free Blacks", 1816. Samuel J. Mills, 1818, organized at Williamstown, Mass. for missionary work & Society which was soon transferred to Andover & became auxiliary to the American Bible Society & the American Board of Foreign Missions. The idea of Mills was to colonize Negroes between the Gambia & the Sierra Leone, on the African coast.

wrote to study Theology, & commenced & continued the study of that science in his dwelling, & recently those of Trinity. — (John Hopkins Memoir, p. 18,)

Genera Harper was among the original members of J. H. B. Latrobe's address in the Semi Centennial Report, A. C. S. 1867. In 1803 Mr. Latrobe invited a Meeting of the Society (Colony) "Maryland in Liberia" to meet at his house in the State Chamber at Annapolis — Baltimore American, March 16, 1833. The first officers of the Society were Richard Sprigg, William H. Crawford, Secretary, John Eager Howard, President, Peter Hendrickson, Daniel Webster, John Randolph of Roanoke, Francis Scott Key, C. F. Mercer. The Principles of the Society were those of Richard Sprigg, 1817-33; Charles Carroll of Carrollton, 1833-35; James

Madison, 1833-1836; Murray Hoe, 1836-1837; John C. Calhoun, 1837-1841; Rudolph M. Tyler, 1841-1845 — A. G. S. Hopkins of Virginia"] The Society decided to adopt as its badge a blue ribbon bearing the Great Seal of the United States in gold and silver, and to have a blue and white banner as Congress Hall. [A. G. S. Hopkins, 1845, 1] The work the first year mainly consisted in organizing for the ensuing Congress, of providing the Chamber for the next session, of making the Constitution for the ensuing year, and of establishing Libraries to the Standard of a Christian nation. [A. A. Reed, The Debating Societies, Chicago, Illinois, 1901] The Society continued to meet in the Chamber of the House of Representatives

with them right, & from contributing
power, as he feared that the Union
was crumbling in the interest of the
slave trade to raise the price of slaves
by reducing their number. * This law
of Congress has since put a stop to
even the first clause opening Africa to the
slave trade. Many die the next
voluntarily after Mr. Lincoln began
that Confederate. Buchanan Secretary
Stanton through Mr. Buchanan had begun
the purchase of founding a Confederate
a free black Colony in Liberia. Africa
Stanton & Benning was the Secretary of
War for Alabama & Tennessee. — Alexander
Stephens in Color, 2:3 Stephens & Boyd
Cameron, in Frontier from Colonel, Stephens
worked for Stanton for purchase of "Free
Negroes" Cameron-Lincoln-Stanton" in Baltimore

that meade were on the Colorado
Alabama, 1807-20 and his glory 3rd for minerals
& Tennessee Official Commissioners found
formations to exhibit that [illegible]
these circumstances Colonel Hayden
came to the rescue of the County
defended it against both Creeks &
Spaniards. On August 20, 1814, he wrote
to the Secretary of War letter in which
he set forth the advantages of locating
cities & the Black Warrior. He
stated that the first aim of Americans
be to overcome Creeks - by making use of
the the cities & Indian Chiefs of the
Black Warrior. They are evidently a better
organization by their colonial Council &
are reliable "mark" of their organization
mouth establishes from the confluence
between Black Warrior & Tombigbee. This be-

not rests upon our habits, our feelings, or our professions; but whether prejudice or feelings [illegible] are removed from the idea of [illegible] [illegible] with the free blacks. A state of equality between the races which then would [illegible] in our society, is wholly [illegible]. [illegible] then evidently [illegible] as [illegible] their [illegible] [illegible] [illegible] their [illegible] [illegible], we may admire their character, or even [illegible] [illegible] they never [illegible] [illegible] [illegible] the [illegible] [illegible] placed on a footing of perfect equality with each other. They never [illegible] [illegible] [illegible] [illegible], a [illegible] [illegible] [illegible] [illegible]. This is strictly true of every part of our country, [illegible] those parts where slavery has [illegible] [illegible] [illegible], we [illegible] [illegible] [illegible]

"There is no state in the union" Gunnel Harper said, "where a negro or mulatto can ever hope to be a member of Congress, a judge, or a militia officer, or even a justice of the peace, & sit down at the table with respectable whites, or mix freely in their society." Paul Cuffee [Paul Cuffe, son of an Indian woman & a native African father, was born off the coast of Ghana. He became a sailor, then a trader, & acquired wealth. He was an influential Quaker. He manumitted his own slaves. Deeply with negroes. In 1811 he visited Sierra Leone to study the conditions, & in 1815 he took 38 negro emigrants to Africa at his own expense. A second expedition was attempted by his heirs.] respectable, intelligent, wealthy, has no chance of ever being invited to

to deal with a gentleman in relation to
marrying his daughter & Nelson says to
her "Education or fortune to one of these
sons." These passages are very striking
in the light of subsequent developments
Darwin, & reconsidered facts. Ernest
Haeckel goes on in his Lebensfragen to show
how different Darwin & the United States
were from every other form of civilized
society the celebrated Mr. Spencer has
left so much harder than that of
freedom — in other countries respect
Darwin than exists in most but the
foundation of the fabric, but the great body
of their institutions — political, social,
even of the domestic sort, originated by
the Darwin general character of the peo-
ple. So it was during the American
Revolution and subsequent periods in most

only removed the stain from the Curtain of slavery, but also enables him to read the Emancipation Proclamation for a full appreciation of all the Privileges of freedom. He was raised to an equality with the free born people of the State of his former Oppression & prepared to Exercise the Elective franchise. Go to Hamilton Hale Esq. Mansfield, Ohio & inquire for yourself, you may examine the Slave but you cannot make him a Slave man. He still remains a Negro & bears the marks of his former condition. Still and here Blood & Gore & Scars & Tears cannot be Removed. The debasement which was formerly Compulsory becomes habitual & voluntary. For 200 years the Curtain of ignorance & Superstition shut off the Enslaved from the

As long as the freemen existed in the midst of slavery, it was not very difficult to create a corrupting influence adverse to the continued existence of the latter. General Harper urged that to remove the negroes from their position of danger would be a proof of weakness. But there is no argument worthy to be used in favor of the most reasonable Colonization of the free and Colonization does not aim at the destruction of the United States entirely of slaves. From this point of view Colonization must simply be looked to as a means for an end. "To know" he says "the best men the most discerning statesmen of their day, were deeply impressed, no man could fail to be, from almost every

the difference in favour of the latter is substantial, in general happiness of wealth & comfort, in educating, refining powers of life of the middle class, in Poesie, Music, in delicate Manners & in general advancement of the race in Europe. The Chevy cadet at the outset upon leaving the Cadet School separates the Cavalry officer from the Infantry officer ever after." Harbour was of the opinion that to substitute a free white class of labourers for slaves, was as practicable as it would be unjust, & that Colonization was the first step in that direction. All examples taken from the experience in this Country was against it, for it is said to the black race would be intolerable. But in fact the

nearly destroyed the Society. Which would open the way for Colonization and thereby relieve the difficulty of the surrounding evil. If the Gullahs could be established in Africa they would soon form a civilized population surrounding them & their former degradation. Then if the Causes of the Difficulties were removed relating between the Native Africans & the Africo-American in the U.S. would cease. [Extract from the writings of Dr. Ferd. Douglas in Frederick Douglas Paper.]

This fact would indeed most fragrant Recommend this to Society would have a good effect upon the Slave. Because the Free Coloured would be great Laborers — it was the beneficient effect upon Africa from the

letters of German ocean - carrying Sound
ship Clinton-place with them:

Some German colonists the Cook-
ing of Sierra Leone, but Governor
Hamilton opposed them on the ground of
the Province of Canada in preference to Sierra
Leone & Africa. Hall in right to suggest by
the Incorporation of that Colony the best
point choice of location, & lay a firm
foundation. Good for the darkest future.
Indeed the Colony should be as distant
as possible from Sierra Leone in order to
avoid every complication with the
plan of settlers to foster their separation
Commerce, can best be led to independence of
Liberia (July 6, 1847.) Necessary to our
Colony upon Africa, Providence with a view
to deep Governmental independence. Other
earliest possible period for clear only ac-

of the most useful & the Colonists, Officers etc etc? This [illegible] in the Choice of a Proper site for the Colony [illegible] station. It must be in communication with the Niger river, described, he said, to be the Conducting Channel between Central Africa & the coast. [illegible] for his information of the Geography of Africa upon Park, Mungo, Laing & Denham's Geography had been a favorite Study with him. His wide knowledge of it this [illegible] as a Passenger - upon [illegible] of Fernando Po, [illegible] Clapperton's Journal of Sokoto [illegible] Geography pointed in the Report.

How did he succeed upon the Choice of a Site that would be Healthy for the station. He hinted in the future of Africa, & at the end of his letter alluded his feelings to himself in the expectation of the Expedition

process which alone sufficient to retain
life in the infant nation. Who can
count the millions that die a prema-
ture death from the causes of
disease by which their energies are
thus destroyed & blood is carried into the
system? Throughout the widely extended
regions of middle & southern Africa, thus
filled with fabulous & splendid relics
of Grecian skill & Roman valour
which have been for their removal
& for ages, shall no longer be
known except by vague report of their
former greatness".

Edward Harper was created a professor
in Lexington & received the degree of M.D.
at the Medical Institution in the year 1824, Edward Harper was
elected professor, first in the chair of

General Harper's suggestions were adopted in the plan & an exploring party was sent to Africa. The expedition so drained the Society that it might have been ruined, but for the help of President Monroe ^x ^x [J.H.U. Studies 9:500.], who by a liberal construction of an Act of Congress, cooperated with the Society. $33,000 was at their disposal. Eighty six negroes were now sent out, & arrived in March, 1820. Most of them did not survive the fever. Twenty eight more were sent March, 1821. In April, 1822 the first permanent settlement was made. The struggle for life against the climate & the natives makes a thrilling story which cannot be related here. [In 1821, Dr. E. Ayres, agent for the Society, was sent out in a United States vessel under Lieut. Stockton. Ayres & Stockton bought of King Peter, King George, King Zoda, King Long Peter, King Governor, & King Jimmy, for $300.00 a tract of land

Colony — M. C. S. Reports, 1, 5, 1891. Sketches, etc. Virginia Gazette, 103 engrave from about February 2 to end of Feb. 15. The George, May, 1894 Carries two engrave from and to the effect copy supplied for the Indians, the Virginia Gazette, while in 1894 the Travellers Carried one hundred photographic books — Table of Precedence Officers — Washington, 1875. The Court of Exchequer as law as 20 Richard — Chronicle Exchequer, 1836, pp. 53-1867. The grounds of the Capitol were laid out from the Eastern front door, the first line of 30 ft from square 93 feet. Parliament left 2 days for laying a foundation stone. This was used to lay a plan for planning Christian for the Colony — Christian Exchequer, 1894 p. 12 — Rev. W. Meade, later Bishop Meade collected names among — P. 4 the South. General Baker from a Christian Indians Picture from many books such as. J

When the question came up of making aid of the United States Government for the Society, General Harper warmly supported the Liberia idea and early took up the Government. He framed resolutions and carried the building of the vessel. All they could do was taken. The Legislature took hold to colonize the free blacks. But private efforts each returned made a few thousands of them. The task needed a far mightier hand, & it must have them auxiliary features, & must be gradual, voluntary with consent of the blacks. The grand national means, the object was limited in its consequences. The national must mean the national evil. It may effect the extinction of slavery in the District of Columbia, but the fruit of the national undertaking. Dec. 1, 1862 favours colonization of free negroes etc &c

the United States – Color 1:5]. When the Society met, Feb. 1824, Samuel Harper, proposed a name for the African Colony. "A name that is peculiar, short, & familiar & that expresses the object & nature of the establishment in Liberia, which denotes a settlement of people made free. Such a name is easy, apt, & concise". The name was adopted. Then Samuel Harper proposed to call the Capital Monrovia "as a mark of gratitude to that venerable name to whom it owes more than to any other Statesman, it being perfectly well known that but for the favourable ... of that great Patron & friend, our efforts must have been unavailing". [J. Sketches, 9:511 A.C.S. Reports, 7:5]. The town was Cape Palmas – the town of the Governor [Thomas Buchanan, Johnson's Biographies] was named Harper by the Society for the town & around the County of the Capital. [J. & C. Standard, 2:11].

note.

In 20 years the Society sent out more than 4000 negroes [*] [of them 1200 were from Va & 475 from N.C.] In 1896 emigration, which had been checked by the civil war, began to revive, & 325 went on their own charges — Liberia, Bulletin of N.C.S. Feb. 1897 p. 4. Since 1822 the total number of emigrants sent to Liberia is 18,000. Liberia has never really been a part of Africa; it has been more a part of Va or N.C. stuck on to the African coast. American ideas & sentiments & all the total exclusion of social assistance. Yet the American Liberians, as they fondly call them, have done a great work for Africa. Their emigrants & their descendants number altogether 20,000; but their system of exploration extends over thousands of miles. They have disorganized the Empire of the

for her self-government, & gain the
[illegible] encouragement -- Send Langlee to
Johnson Georgetown. Liberia has
four counties, Montserado, Grand Bassa,
Sesters & Maryland in Liberia. Former
two Kroo, Vey, Dei, Gurmer & Kpongto.
Lib- is an [illegible] debt, a surplus in the
treasury, a [illegible] for the
suffering, a regular school system &
churches - free and [illegible] -The
[illegible] from Liberia at the [illegible] is
very creditable. The direct trade of Liberia
with the United States is not large, but the
use of American goods [illegible] is
considerable.]

[note The American Colonization Society, their [illegible]. It has accomplished three results: - 1. It established a colony which [illegible] are independent nation. 2. It has given aid to emigrants. 3. It has diffused [illegible] & Africa & of the [illegible]

Clark Jr. in the United States of North America
aroused sympathy for the negro race in the
United States of America & helped the
slave trade. 6. It has resulted in the civi-
lization & Christianization of Africa. 7. It made
an honest effort to save our country's exis-
tence. 8. It may yet furnish the solution for the
present difficulties. Rhodes Encyclopedia
Encyclopedia = Cecil Rhodes B.A. said "Africa is the
hope of the future & we the Anglo-Saxon
are the finest race" - A.C.S. Reports 1917 p. 29

To all the merits of the scheme of Col-
onization Clement Harper - Contributed more
than Any. In particular his part in the movement
may be briefly Capitulated thus:
1. He was one of the early promoters of the
Society.
2. His able defense of the Society was a
critical movement turned the trend of

Summer retirement of the Clan.

3. The room for ... entertainment of the family.

4. The comfortable breakfast of the morning Reading family.

5. The [illegible] room [illegible]

6 the Land into Capital.

6. The view room has been from bottom of Cooper.

Chapter VII. Last Years.

Of Admiral Harbon - See a large space was had - little to say. He continued [illegible] papers [illegible] on account of [illegible] of the extent. The [illegible] was long, incorrect [illegible] Master of - Law Case will illustrate his [illegible] of work. In 1809 he was appointed with John Quincy Adams on the Case of Fletcher vs Peck before the Supreme Court of United States. In the Pennsylvania Supreme Court he was - engaged with Edward Tilghman, Recorder of Lewis, in the Case of Commonwealth vs Cobbett in 1798.

In this many cases could the reader what Admiral stated Harbon took part in 1803 in Case of Livingston vs Smith, and Lewis Harbon, who was Rep' as his opponent. His argument was [illegible] against Representation [illegible]

in the case of Pennsylvania v. Boyle. Here
last might be fruitfully pursued. Corbett
Harper Ferry, 1 Brockenbrough 444; Ex parte
Bollman, 4 Cranch 75. Estimate of the
validity of the arrest depends upon

Par. 1824 of Encyclopedia for relevant
to what time he proceeded after arrest
of Burr's Conspiracy. The broad
liberal principles he entertained are evident
in an address at the time in answer
thereof from his people. For the conduct of
other Blount Conspiracy Annals of Congress
Eighth Congress, 1st Session, p. 1086 et seq.
Senate Journal, 8th Congress, 1st Session,
Journal of the Senate of the United
States of America, 1803-1804, Washington
1821, 3:109, where is found a letter of Wilkinson,
January 19, 1804. His Journal was most
elaborate Baltimore American, January 31, 1804
testified to the universal esteem in which

Emma Harper was laid in her native
Lake Cemetery at Frankfort, Kentucky, it may be seen in a
row set back by Gov. Pickering, the Evangeline
Guide to Canada. My friend and fellow
Bunk, John Bellamy was for the use of the
book. [illegible] Emma Harper was interred
his County relat Oakland. His remains
were later removed to Evergreen Cemetery
in Portland. The monument thus Erected
reads:—

Sacred to the Memory of
Emma Harper
Born in Fredericksburg, Virginia. A member
of the Confederate Congress. Known
throughout the State as Kentucky's Fair
Flower. Wife of the Senator from Maryland
Died in the City of Portland.

As a Statesman he was
distinguished by extensive knowledge,
accurate judgment, energy of character &
unbounding intellect. As a lawyer he

as regards the wealth & status of the class of Landowners. The Landowners feeling would see the Government taking place of the Commons House of Assembly of 1720, in the first year of King George.

[Is this the Commons Association which defeated Governor Burnet's scheme?—J.P.R.—]

Governor Burnet's death caused great many warm tributes of respect. The Historical Colonization Society which flourished in Virginia about 1840 and which published Governor Burnet's letters, says—warm, practical, & efficient benevolence—the effects of the purest virtue." [U.S. Reports V. p. 7, Hutchinson's History, vol. 2, appendix p. 510.] The most elaborate eulogium which we have seen of Governor Burnet who was indeed, "a burning & shining light in the great Province

of the United States, viz the eyes of the nation. ..... the nation has considered him as one of her brightest ornaments. We were proud to acknowledge him as standing in the van of our ranks, who would shew there an illustrious light upon the profession in any Country." [Niles Register, July 22, 1826, p. 386]. Blackwood's Magazine said of Harper, "we hold him to be altogether one of the ablest men North America has produced" [vol. 17, p. 56]

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Vita.

Charles William Somerville was born May 22, 1867, at White Post, Clarke County, Virginia. He was prepared for College chiefly by his sisters. After three years in business, he entered Hampden-Sidney College, September, 1887, & received in June, 1890, the degree A.B. & B.Sc. He entered Union Theological Seminary, September, 1890, & in May, 1893, received the full diploma. From September, 1891 to June, 1896, he was Instructor in Latin in Hampden-Sidney College, when, in June, 1896, upon examination, he received the degree of Master of Arts. In October, 1896, he entered the Johns Hopkins University, & for three years followed the courses in History, Political Philosophy, & the History of Philosophy.